

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA, GEORGIA**

IN THE MATTER OF:)	TERMINATION of the
)	STOP SALE, USE, OR
Seal Shield, LLC)	REMOVAL ORDER
)	FIFRA-04-2021-0715
)	
Respondent.)	
_____)	

TERMINATION OF THE STOP SALE, USE, OR REMOVAL ORDER

1. On June 24, 2021, the U.S. Environmental Protection Agency issued a Stop Sale, Use or Removal Order (“SSURO”) to the Respondent, Seal Shield, LLC (hereinafter “Seal Shield”), authorized under Section 13(a) of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (“FIFRA”), 7 U.S.C. § 136k(a). Pursuant to the SSURO, Seal Shield is prohibited from offering for sale, selling, distributing, using, or removing any of the unregistered pesticides identified in paragraph 27 of the SSURO (e.g., computer keyboards, mice, screen protectors), or the misbranded pesticide device identified in paragraph 36 of the SSURO, the ElectroClave UV-C Disinfectant System (hereinafter, the “ElectroClave device”), without first obtaining written approval from the EPA.
2. On July 22, 2021, Seal Shield submitted a certified statement from an authorized company official certifying that Seal Shield had taken the necessary steps to come into compliance with the SSURO and the requirements of FIFRA with respect to the ElectroClave device referenced in paragraph 36 of the SSURO.
3. Accordingly, on August 3, 2021, the EPA issued a Partial Termination for the provisions of the SSURO that prohibit the sale and distribution of the ElectroClave device referenced in paragraph 36 of the SSURO. This Partial Termination of the SSURO did not apply to the unregistered

pesticide products identified in paragraph 27 of the SSURO, and all the provisions of the SSURO applicable to those unregistered pesticide products remained in full effect.

4. Following discussions and correspondence between the parties, Seal Shield submitted a certified statement (“Declaration”) from an authorized company official to the EPA on October 20, 2021, certifying, inter alia, that Seal Shield had taken the necessary steps to come into compliance with the terms of the SSURO that are applicable to the unregistered pesticide products identified in paragraph 27 of the SSURO (“Products”). A copy of the Declaration is included as Appendix A.
5. After reviewing the Declaration, counsel for the EPA contacted counsel for Seal Shield on October 20, 2021 and advised Seal Shield that certain documentation that was required to be submitted as an attachment to the Declaration pursuant to paragraph 6.b. of the Declaration, was missing from Seal Shield’s submission, and that accordingly the submission was incomplete. Subsequently, following further discussions and correspondence between the parties, Seal Shield submitted the required documentation in a form acceptable to the EPA on December 1, 2021.
6. On December 3, 2021, Seal Shield submitted a supplemental declaration signed by an authorized company official (“Supplemental Declaration”), certifying that the Seal Shield company website, which had been deactivated by Seal Shield on or around October 20, 2021, and revised and reactivated on or around November 2, 2021, does not contain any unauthorized pesticidal claims under FIFRA, or other language, not in compliance with FIFRA, and that Seal Shield and its website are in compliance with the terms of the SSURO and with FIFRA. As set forth in the Supplemental Declaration, Seal Shield relaunched a “minimal version” of its company website on or around November 2, 2021, which it advised the EPA, would not contain references to the products subject to paragraph 27 of the SSURO, but would contain Seal Shield’s contact information and information about the Seal Shield ElectroClave device, which is no longer subject to the SSURO, following the August 3, 2021, partial termination of the SSURO.
7. The EPA has agreed to allow Seal Shield to resume sale of its Products through its four

distributors (Distributors), subject to the following understanding and conditions by which Seal Shield shall ensure and certify that its Products shall not be sold with any unauthorized pesticidal claims under FIFRA, or other language not in compliance with FIFRA.

- a. Temporary Discontinuation of Website Operations. As set forth in the Declaration, Seal Shield deactivated its official company website (www.sealshield.com) in its entirety on or around October 20, 2021, in order to remove the remaining pesticidal public health claims on the website and agreed to take action to ensure that its website will not contain any unauthorized pesticidal claims under FIFRA, or other language not in compliance with FIFRA. As noted above, and as set forth in Seal Shield's Supplemental Declaration, Seal Shield relaunched a "minimal version" of its company website on or around November 2, 2021 and has certified to the EPA that it does not contain any unauthorized pesticidal claims under FIFRA, or other language not in compliance with FIFRA, and that Seal Shield and its website are in compliance with the terms of the SSURO and with FIFRA.
- b. Notification Letter to Distributors. To continue the sale of its Products through its four Distributors, Seal Shield has provided a Notification Letter to its Distributors providing the following important messaging to be communicated to customers: ***(i) there are no health-related antimicrobial benefits to the Seal Shield Products; and (ii) Seal Shield Products are not intended for any health-related pesticidal purpose.*** The Notification Letter requested that the Distributors update their internal systems, and any external/public-facing systems should they exist (e.g., website, marketing materials, etc.), to comply with this notification and messaging. The letter requested that the Distributors acknowledge receipt and commit to ensure that their employees and representatives will be consistent in communicating this notification and messaging to customers. A copy of the Notification Letter, and proof of receipt by the Distributors, were provided to the EPA

in accordance with the terms of the Declaration.

- c. Product Packaging. Seal Shield has provided the EPA with representative photographs of the product packaging, and the product literature that will be included inside the product packaging/box for the Products to be sold in the United States. The representative photographs of the product packaging and the product literature to be included in the packaging/box for the Products were provided to the EPA through a link to a cloud-based repository provided in the Declaration. As demonstrated in the representative photos, the Seal Shield Products are not packaged in retail packaging, but instead are packaged in a plain box (brown or white) for each individual item, with a small product label affixed thereto. The representative product literature included in the individually packed boxes is very limited in nature. Inside the individually packed boxes is a one-page packing insert entitled “Seal Shield Manuals and Instructions”, which provides a web link to Seal Shield’s website where one may download the product manual. At the present time, this web link to the product manual has been deactivated by Seal Shield and will not be reactivated unless and until such time that Seal Shield has taken action to ensure that the product manuals, and any other product literature, will not contain unauthorized pesticidal claims under FIFRA, or other language not in compliance with FIFRA. For the Seal Shield Screen Protector product, Seal Shield also includes in the product packaging, a one-page, double-sided, packing insert, that contains Application Instructions for installing the Screen Protector.
- d. Future Website Activation. Seal Shield will ensure that its website will not contain any unauthorized pesticidal claims under FIFRA, or other language not in compliance with FIFRA, prior to any future reactivation, use and publication of the website. Seal Shield shall also notify the EPA prior to any future reactivation, use and publication of its website; however, Seal Shield understands that it bears sole responsibility for its

compliance obligations under FIFRA.

- e. As set forth in the Declaration, Seal Shield understands and accepts that termination of the SSURO is contingent upon the veracity of Seal Shield's statements and representations in the Declaration, and Seal Shield's full cooperation and compliance with the requirements and conditions agreed upon between the EPA and Seal Shield as memorialized in the the Declaration and set forth in this Termination.
8. Based on the foregoing, and subject to the conditions referenced above, the EPA hereby terminates the remaining provisions of the SSURO issued on June 24, 2021, that prohibit the sale of the unregistered pesticide products identified in paragraph 27 of the SSURO.
9. This Termination of the SSURO shall not act as a waiver by the EPA of any enforcement or other authority available to the EPA under FIFRA nor shall it act to release the Respondent, Seal Shield, from any potential liability for violations of FIFRA that may have occurred prior to, or subsequent to the issuance of this Termination.
10. This Termination of the SSURO shall be EFFECTIVE IMMEDIATELY upon receipt by the Respondent, Seal Shield.

Date

CAROL KEMKER

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Date: 2021.12.17 09:53:54
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Carol L. Kemker
Director
Enforcement and Compliance Assurance Division